

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB1118H1

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Bell

3. Committee: House Committee on Health, Welfare and Institutions

4. Title: Transfer of persons who are the subject of a temporary detention order to local law enforcement

- 5. Summary:** The substitute bill provides that in cases where an alternative transportation provider can no longer transport a minor or adult who is the subject of a temporary detention order, the primary law enforcement agency for the jurisdiction in which the alternative transportation provider becomes unable to continue will take custody of the minor or adult and transport them to the temporary detention facility. The bill requires a copy of the temporary detention order accompany the minor being transported and must be delivered to and returned by the temporary detention facility. In addition, for cases involving a minor, the bill also requires that if the alternative transportation provider originally authorized to provide transportation is a person other than the minor's parent that the alternative transportation provider notify the minor's parent which primary law-enforcement agency has custody and the responsibility of transporting the minor and the name of the law enforcement officer providing the transportation.

The bill provides that the magistrate is authorized to change the transportation provider specified in the temporary detention order at any time prior to the initiation of transportation of the minor who is the subject of a temporary detention order. If the designated transportation provider is changed by the magistrate at any time after the temporary detention order has been executed but prior to the initiation of transportation, the transportation provider having custody of the minor must transfer custody of the minor to the transportation provider subsequently specified to provide transportation. For an adult who is the subject of a temporary detention order, the magistrate may change the transportation provider specified in a temporary detention order at any time prior to the initiation of transportation.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item #8)

- 8. Fiscal Implications:** The proposed bill establishes a protocol for the custody and transportation of a minor or adult who are the subject of a temporary detention order in cases where the alternative transportation provider is unable to complete the transporting of the person to a temporary detention center.

The bill could have a workload impact on law enforcement agencies in jurisdictions with a high volume of these cases. However, the actual fiscal impact cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Courts and local law enforcement agencies

10. Technical Amendment Necessary: No

11. Other Comments: None